



AFW  
CD Rom

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of FRANK et al.

Application No. 10/575,864

Group Art Unit: 1647

Filed: May 15, 2007

Examiner: Cherie M. Woodward

For: STABILIZED PEPTIDES

TRANSMITTAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

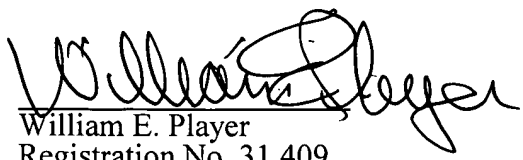
Transmitted herewith please find:

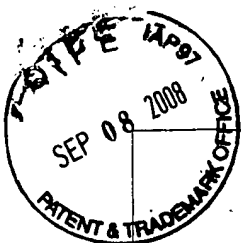
- ☒ Amendment, Response/Statement Under 37 CFR 1.821(g), PTO Notice (copy), Sequence Listing, CRF, and Amendment Entering Sequence Listing.
- ☒ Petition for extension of time
- ☒ Fee payment
  - ☒ Payment Form PTO-2038 (credit card) for \$460.00 is attached.
  - ☐ Charge \$ \* to Deposit Account No. 06-1358.
  - ☐ Small entity status established in connection with the subject application.

| Fee Calculation  |              |                     |               |                  |                  |
|--|--------------|---------------------|---------------|------------------|------------------|
| Excess Claims  |              |                     |               |                  |                  |
|  | Nº of Claims | Highest Nº Paid For | Excess Claims | Small Entity Fee | Large Entity Fee |
| Total  | *            | ⊖ * =               | 0             | ⊗ \$25 = \$      | ⊗ \$50 = \$      |
| Ind.   | *            | ⊖ * =               | 0             | ⊗ \$100 = \$     | ⊗ \$200 = \$     |
| [ ] Multiple Dependent Claims (1 <sup>st</sup> Filing) |              |                     |               | ⊕ \$180 =        | ⊕ \$360 = \$     |
| Excess Claims Fee                                      |              |                     |               | \$               | \$               |
| Extension of Time Fee                                  |              |                     |               | \$               | \$120            |
| Other:   |              |                     |               | \$               | \$               |
| Total Fee Due  |              |                     |               | \$0              | \$120            |

- ☒ If a petition for extension of time is necessary, but not enclosed, then this acts as the petition. Charge any fees additionally necessary in connection herewith to Deposit Account No. 06-1358.

JACOBSON HOLMAN PLLC  
400 Seventh Street, N. W.  
Washington, D.C. 20004-2201  
Tel. (202) 638-6666  
Fax (202) 393-5350  
Date: September 8, 2008

By   
William E. Player  
Registration No. 31,409



# COPY

## Notice to Comply

Application No.  
10/575,864

Applicant(s)  
FRANK et al.

Examiner  
Cherie Woodward

Art Unit  
1647

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- X 7. Other: no sequence listing / CRF have been provided which includes the amino acid sequences presented e.g., page 35, lines 1-2; page 36, line 20.

#### Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (571) 272-0623 or (571) 272-0731

For CRF Submission Help, call (571) 272-2510

PatentIn Software Program Support

Technical Assistance. 1-866-217-9197 or 703-305-3028 or 571-272-0623

PatentIn Software is Available At [www.USPTO.gov](http://www.USPTO.gov)

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**